REMARKS/ARGUMENTS

These remarks are made in response to the Office Action of December 10, 2008 (Office Action). As this response is timely filed within the 3-month shortened statutory period, no fee is believed due. However, the Examiner is expressly authorized to charge any deficiencies to Deposit Account No. 50-0951.

Claim Rejections – 35 USC § 101

Claims 1-2 and 5-9 were rejected under 35 U.S.C. § 101 because it was alleged that the claimed invention is directed to non-statutory subject matter. More specifically, it was asserted that independent Claim 1 claims a process that is not tied to another statutory class.

The language of Claim 1 has been slightly modified to clearly tie the process to a computer, which belongs to another statutory class. It is noted that from the language of the claims it is clear that all steps are executed through the scheduling application initialized on a computer because the method is performed within the scheduling application.

Claim Rejections – 35 USC § 103

Claims 1-2 and 5 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Published Patent Application 2003/0046304 to Peskin, *et al.* (hereinafter Peskin) in view of U.S. Published Patent Application 2004/0220768 to Klein (hereinafter Klein). Claims 6-8 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Peskin in view of Klein, and further in view of U.S. Patent 7,139,722 to Perrella, *et al.* (hereinafter Perrella). Claim 9 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Peskin in view of Klein, and in further view of U.S. Published Patent Application 2004/0111309 to Matheson, *et al.* (hereinafter Matheson).

Applicants respectfully disagree with the rejections and thus have not amended the claims to overcome the art rejections. Claims 30-37 have been added. The added claims are fully supported by the original disclosure and no new matter has been introduced.

Aspects of Applicants' Invention

It may be helpful to reiterate certain aspects of Applicants' invention prior to addressing the cited references. One embodiment of the invention, as typified by Claim 1, is a computer-implemented method for managing travel time of meeting participants within a scheduling application.

The method can include initializing the scheduling application in a computer; identifying a meeting and meeting participants, a meeting location and a meeting time for the meeting; determining an origination location for at least one meeting participant; and automatically computing a travel time for the participant based at least in part upon the meeting location and the origination location. The computing step includes constructing a location matrix comprising a plurality of location nodes; drawing a line segment between each pair of location nodes when travel is possible between the pair of location nodes; assigning a link weight to the line segment between the pair of location nodes, wherein the link weight is a value representing a travel time that connects the pair of location nodes; identifying a location node corresponding to the meeting location; identifying a location node corresponding to the originating location; and calculating the travel time based at least in part upon link weights of line segments between the originating location node and the meeting location node.

The method also can include upon receiving a travel condition, adjusting a corresponding link weight to account for the received travel condition and re-computing the travel time based on the adjusted link weight; calculating a suggested departure time based on the travel time; and presenting a meeting reminder to the meeting participant at some time before the suggested departure time.

See, e.g., Specification, paragraphs [0029] to [0032] and [0037] to [0039].

The Claims Define Over The Prior Art

It was asserted in the penultimate paragraph on page 3 of the Office Action that Fig. 3 of Peskin clearly shows a location matrix (fig. 3, table of rows and columns is a matrix, contains location name, x-y coordinates, and address) comprising a plurality of location nodes (fig. 3, x-y coordinates are nodes) using the broadest reasonable interpretation of the claims.

However, it is noted that Fig. 3 of Peskin only shows a location table, not a location matrix in the sense of the present invention. An example of a location matrix 205 is shown in Fig. 2A of the instant application. It is noted that the table of rows and columns as shown in Fig. 3 of Peskin is not a matrix in the sense of the present invention because in Fig. 3 of Peskin it is not possible to draw a line segment between each pair of location nodes when travel is possible between the pair of location nodes, and assign a link weight to the line segment between the pair of location nodes, as in the present invention. Although the term "matrix" may refer to rows and columns, it is noted that a term used in claims must be interpreted in the context of the specification and in the context of the specification of the instant application, the term "location matrix" clearly does not refer to a table of rows and columns. An applicant is entitled to be his or her own lexicographer and may rebut the presumption that claim terms are to be given their ordinary and customary meaning by clearly setting forth a definition of the term that is different from its ordinary and customary meaning(s). See MPEP 2111.01.

It was asserted in the paragraph bridging pages 3 and 4 of the Office Action that Klein clearly teaches assigning a link weight to the line segment between the pair of location nodes, wherein the link weight is a value representing a travel time that connects the pair of location nodes (par. 27, calculating "period of time for arriving at the

destination" (travel time link weight) between current location S and destination Z (pair of location nodes)).

It is noted that Fig. 3 of Klein shows a planned route R from a current location S to a destination Z. This is totally different from connecting pairs of location nodes in a location matrix 205 to each other as shown in Fig. 2A of the instant application. In Klein the locations are not connected in pairs, but rather are connected one after another. It is also noted that paragraph [0027] of Klein describes calculating a pedestrian route starting from the destination Z to the planned arrival point O (car park) taking into account of a walking speed and the period of time for the section on foot is used to calculate a period of time for arriving at the destination. The "period of time for arriving at the destination" between current location S and destination Z is not a link weight assigned to the line segment between a pair of location nodes in the sense of the present invention because there is not any link segment drawn between the current location S and the destination Z.

It was asserted in the second paragraph on page 4 of the Office Action that Peskin clearly teaches upon receiving a travel condition, adjusting a corresponding link weight to account for the received travel condition and re-computing the travel time based on the adjusted link weight (par. 96, user's movement parameters, weather conditions, traffic conditions and the like constitute a travel condition, real-time acquisition of these conditions are used to recalculate travel times, which are the link weights between nodes).

It is disclosed in paragraph [0096] of Peskin that the event handler module 106 obtains the movement parameters from real-time data acquisition component 102 and utilizes eta module 110 to estimate a time necessary for the user to travel from his or her current location to the appointment destination. However, Peskin does not disclose how to calculate a time necessary for the user to travel from his or her current location to the appointment destination based on the obtained movement parameters. In other words,

Peskin does not disclose adjusting a corresponding link weight of a line segment between a pair of location nodes in the location matrix to account for the received travel condition and re-computing the travel time based on the adjusted link weight.

Accordingly, the cited references, alone or in combination, fail to disclose or suggest each and every element of Claims 1 and 30-31. Applicants therefore respectfully submit that Claims 1 and 30-31 define over the prior art. Furthermore, as each of the remaining claims depends from Claims 1 or 31 while reciting additional features, Applicants further respectfully submit that the remaining claims likewise define over the prior art. Applicants thus respectfully request that the claim rejections under 35 U.S.C. §103 be withdrawn.

CONCLUSION

Applicants believe that this application is now in full condition for allowance, which action is respectfully requested. Applicants request that the Examiner call the undersigned if clarification is needed on any matter within this Amendment, or if the Examiner believes a telephone interview would expedite the prosecution of the subject application to completion.

Respectfully submitted,
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